REMARKS

Claims 1-13 remain pending in the application, are under consideration by the Examiner, and have been rejected in the Office Action on various grounds.

These rejections are respectfully traversed and are believed obviated in view of the following remarks and the Declaration under 37 C.F.R. § 1.131 of Billy W. Hensley dated November 22, 2004 (hereinafter "the Hensley Declaration I") and the accompanying Declaration under 35 U.S.C. § 1.131 of Billy W. Hensley (hereinafter "the Hensley Declaration II"). Accordingly, reconsideration and withdrawal of these rejections are earnestly solicited.

Claims 1 and 3-13 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,692,436 to Bluth et al. (hereinafter "Bluth"). Applicant respectfully traverses this rejection.

The cited document is not available as prior art under 102(e) because the presently claimed invention as set forth in claims 1 and 3-13 was conceived and reduced to practice prior to the April 14, 2000 filing date of Bluth.

With regard to independent claim 1, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the following steps:

Claim 1	Module	File(s)
providing user information for registered users, the user information comprising medical information specific to the registered users	LCKioskServer.exe	threadReceiver.h; threadReceiver.cpp
receiving updates to the user information	LCKioskClient.exe	wndMonitorISP.h;

		wndMonitorISP.cpp
generating update user information	LCKioskServer.exe	threadReceiver.h; threadReceiver.cpp
for each of the collection kiosks, receiving a request from the collection kiosk for the generated update user information	LCKioskClient.exe	threadReceiver.cpp; threadReceiver.h
sending to the requesting collection kiosk the update user information	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h
storing the update user information at the requesting collection kiosk for subsequent requests	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
wherein the collection kiosks use the update user information to verify whether a user is registered	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

As demonstrated above, Bluth does not constitute prior art against claim 1, from which claims 3-5 depend. Further, the features of claims 3-5 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraphs 14-16 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the process of claim 1 wherein:

Claim 3	Module	File(s)
the received update user information includes indications of whether to add a registered user, delete a registered user, or change information relating to a registered user	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 4	Module	File(s)
a collection kiosk sends a request for the generated update user information once a day	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 5	Module	File(s)
the user information includes a user	LCKioskClient.exe	wndMonitorISP.h;

identifier and a password		wndMonitorISP.cpp

With regard to independent claim 6, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code capable of carrying out the following steps:

Claim 6	Module	File(s)
providing user information for registered users, the user information comprising medical information specific to the registered users	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
sending a request for updated user information	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
in response to sending the request, receiving the updated user information; and updating the provided user information for the registered user in accordance with the received updated user information so that the collection kiosk can verify whether a user of the collection kiosk is registered	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
storing the updated user information at the collection kiosk for subsequent requests	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

With regard to independent claim 7, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for an information collection system comprising:

Claim 7	Module	File(s)
a central computer system for a web site, the central computer system providing a repository for the information, registering users of the web site, and accessing the information	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
a plurality of collection kiosks for collecting	LCKioskClient.exe	wndMonitorISP.h;

		wndMonitorISP.cpp
information about users, for verifying whether a user is registered at the web site, and for sending the collected information to the central computer system when the user is registered		

As demonstrated above, Bluth does not constitute prior art against claim 7, from which claim 8 depends. Further, the additional features of claim 8 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraph 19 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for an information collection assembly, wherein:

Claim 8	Module	File(s)
the information is medical information	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

With regard to independent claim 9, the Hensley Declarations I and II and their supporting exhibits, including the source code submitted with the Hensley Declaration II, demonstrate that prior to April 14, 2000, the inventors had in their possession a computer code for a computer-based method comprising the steps of:

Claim 9	Module	File(s)
registering the users at the web site when information about a user is collected at one of a plurality of collection kiosks	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h
determining whether the user is registered at the website	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
when registered, sending the collected information to a computer system so that the collected information is accessible to the user through the web site	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

As demonstrated above, Bluth does not constitute prior art against independent claim 9, from which claims 10-13 depend. Further, the features of claims 10-13 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraphs 21-24 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession the computer code for carrying out the method of claim 9, wherein:

Claim 10	Module	File(s)
a collection kiosk automatically sends a request for the generated update user information periodically	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 11	Module	File(s)
said sending a request for updated information is automatic and performed periodically	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 12	Module	File(s)
said sending a request for updated information is automatic and performed daily	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

Claim 13	Module	File(s)
the information comprising medical information specific to the registered users	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp
the central computer system further is for receiving updates to the user information from the collection kiosks, generating update user information, and for each of the collection kiosks, receiving a request from the collection kiosk for the generated update user information and sending to the requesting collection kiosk the update user information	LCKioskServer.exe	threadReceiver.cpp; threadReceiver.h

For the above reasons, it is respectfully submitted that Bluth does not constitute prior art against claims 1 and 13. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as being anticipated by Bluth in view of U.S. Patent No. 5,826,267 to McMillan. Applicant respectfully traverses this rejection.

The Section 103 rejection also is premised on Bluth constituting prior art. Applicant respectfully submits that Bluth is not available as prior art under 102(e) or 103 because the presently claimed invention as set forth in claim 2 was conceived and reduced to practice prior to the April 14, 2000 filing date of Bluth. As demonstrated above, Bluth does not constitute prior art against claim 1, from which claim 2 depends. Further, the features of claim 2 were invented by the present inventors prior to Bluth. The Examiner's attention is directed to paragraph 13 of the Hensley Declaration I and the statements contained in and the source code submitted with the Hensley Declaration II, which demonstrate that prior to April 14, 2000, the inventors had in their possession the method of claim 1, wherein:

Claim 2	Module	File(s)
the collection kiosks operate as FTP clients and the computer system operates as an FTP server	LCKioskClient.exe	wndMonitorISP.h; wndMonitorISP.cpp

For these reasons, Applicants respectfully request reconsideration and withdrawal of the Section 103 rejection.
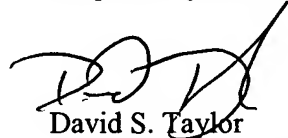
CONCLUSION

In view of the foregoing remarks, the present application is now believed to be in condition for allowance. The Examiner is asked to consider this response and pass the application to allowance.

Further and favorable consideration is requested.

Should the Examiner have any questions, she is requested to contact the undersigned.

Respectfully submitted,

Date: October 27, 2005

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Inventor: Roy Hays
Title: Method and System for Collecting Information at a Distributed Location
Patent Application No. 09/782,685

Enclosed:
Transmittal Form
Fee Transmittal Form
IDS Letter
PTO Form 1449 with reference
Request for Extension of Time
Amendment and Request for Reconsideration
Declaration of Billy Hensley
Check for $670.00 for fee
TPL/kar
SENT VIA COURIER – NOVEMBER 22, 2004
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